

Remarks

This Amendment is responsive to the Final Office Action of **June 29, 2005**.
Reexamination and reconsideration of **claims 5-7, 9-14, 16-20** is respectfully requested.

Summary of The Final Office Action

Claims 1-3, 5-11, 13-14, and 16-20 stand rejected under 35 U.S.C. 102(e) as being anticipated by Nagendran, 6,731,940.

Claims 4, 12, and 15 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Nagendran in view of Tari et al, 6,704,295.

Present Amendment

Claims 1-4, 8 and 15 have been canceled for the reasons below.

35 U.S.C. 102(e) Rejections

Independent claims 5 and 18 have been amended to recite electronic mail features of various dependent claims such as claims 4, 12, and 15. Since claims 4, 12, and 15 were rejected under section 103 based on the combination of Nagendran in view of Tari, the section 102(e) rejection based on Nagendran should now be overcome. The present response will thus focus on the 103 rejection.

The claim amendments are based on the existing dependent claims and thus, no new matter has been added. Additional support for the amendments can be found, for example, on pages 15 and 16 of the present specification.

35 U.S.C. 103(a) Rejection

Independent Claim 5

Independent claim 5 has been amended to clarify that the mobile unit is associated to a cellular account and that the electronic mail account is a separate account. Claim 5 includes identifying an electronic mail account associated to the user based on the one or more cellular signals. Other amendments have been made to claim 5 as seen in the claim.

The Office Action states that Nagendran does not teach a system that includes electronic mail messages but cites Tari as showing an email system that sends email messages to a mobile device (col. 7, lines 32-49). Applicant respectfully submits that combining Tari with Nagendran still fails to teach or suggest claim 5.

For example, column 7, lines 32-49 (and other sections) of Tari, describe a system that functions oppositely from the claimed method and oppositely from Nagendran. In general, Tari describes a system that monitors emails for a subscriber group and then sends the email to their mobile terminal. The mobile terminal is not involved in the process except for being the receiving device. Thus, Tari does not forward email messages based on signals from the mobile terminal. Signals from the mobile terminal are not involved in or part of the process in Tari.

This is opposite from the present claim 5 since the method initiates with the cellular signals from the mobile unit and the method operates based on the cellular signals from the mobile unit. Mail messages can then be forwarded to a network device that is in proximity to the mobile unit. The network device is also determined based on the cellular signals.

Additionally, Tari requires “a table that relates account information of mails and identifier information of the mobile terminal 104-n...” (column 7, lines 45-48). Thus, it is easy for Tari to send an email to a mobile terminal because the email is sent directly to the mobile terminal (e.g. call the mobile terminal). This is different from the claimed method where the

mail messages are sent to a networked device that is in proximity to the physical location of the mobile unit. The networked device will not be a constant device since the mobile unit will move. Tari, conversely, always sends the email to the mobile terminal, a constant device.

Tari teaches sending emails directly to a mobile terminal. Thus, modifying Nagendran with Tari would allow Nagendran to send emails to a mobile device, which as explained above, fails to teach or suggest the present claims.

Applicant will assume that the Examiner will use Tari to teach sending emails to a nearby device like the public display (e.g. electronic billboard) of Nagendran. This, however, is not suggested by the references and one of ordinary skill in the art would have no motivation to make such a modification. The reason is privacy. No one would be motivated to have their personal email messages posted on a public electronic billboard for the world to see. Therefore, such a modification is not suggested and the combination of Nagendran and Tari still fails to teach or suggest present claim 5.

As for the “Judicial Notice” of the Office Action that Nagendran inherently verifies the account information of the mobile device, the present amendment makes this Notice moot since the claims differentiate between a cellular account and an electronic mail account.

Since claim 5 recites features not taught or suggested by the references, claim 5 patentably distinguishes over the references. Accordingly, dependent claims 6, 7, 9-14, 16 and 17 also patentably distinguish over the references and are in condition for allowance.

Independent Claim 18

Claim 18 has been similarly amended as claim 5. In view of the explanations of the references above, the combination of Nagendran and Tari fails to teach or suggest present claim 18 and claim 18 is now in condition for allowance.

Conclusion

For the reasons set forth above, **claims 5-7, 9-14, 16-20** patentably and unobviously distinguish over the references of record and are now in condition for allowance. An early allowance of all claims is earnestly solicited.

Respectfully submitted,

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Date

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